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ABSTRACT

The purpose of this paper is to examine deception in advertising from a behavioral perspective, and to attempt to formulate a definition that can guide both research and governmental regulation. Whether or not an advertisement is said to be "deceptive" depends on the definition of deception being used. The position advocated here is that the focus of any definition must be the receiver of the message. Based on the analysis of veridical preception, a definition of deception in advertising is offered. An approach to measuring deception is also offered. The techniques are all seen as screening techniques, although by their regular use, advertisers should improve the ability of their advertisements to reach their stated objectives as well as reduce the amount of deception. (RB)

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DECEPTION IN ADVERTISING:

A Receiver Orientated Approach to Understanding

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ABSTRACT

Whether or not an advertisement is said to be "deceptive" depends on the understanding and definition of deception being used. The position advocated here is that the focus of any definition must be the receiver of the message. Based on an analysis of veridical perception, a definition of deception in advertising is offered. An approach to measuring deception is also offered. The techniques are all seen as screening techniques, although by their regular use, advertisers should improve the ability of their advertisements to reach their stated objectives as well as reduce the amount of deception.

Deception in advertising is of interest to governments, business firms and academics for at least two reasons. First, in all countries, it is in some way illegal to lie in advertisements. However, there generally are no objective standards to define what is a lie. In some instances, certain practices are specifically spelled out as being illegal while in others, broad guidelines guide the regulator and business firm. The second, and closely related reason for being interested in deception in advertising is because of the possibility that certain types of advertisements that contain no implicit or explicit lies may, however, have an effect on both competition and consumers that is similar to advertisements containing explicit lies.

The purpose of this paper is to examine deception in advertising from a behavioral perspective, leading to a definition that can both guide research and governmental regulation.

A Behavioral Perspective

The basic premise underlying the illegality of deception in advertising is that the receiver of the advertising message will behave in a manner which is different than if the advertisement contained no deception. Therefore, free competition is hindered and firms that deceive are assumed to obtain more business than they otherwise would. Of course, this additional business is assumed to be obtained at the expense of competitors who are engaged in truthful advertising. Because of the difficulty of demonstrating the effects of advertising, whether truthful or untruthful, governments have traditionally tended to focus on the act of deceiving, i.e., are certain words or pictures or certain statements apt to be not truthful and hence deceptive. Focusing on the act of deceiving has led quite naturally to questions of whether intent to deceive must be shown and how many people need to be deceived for deception to exist. In those countries that have rigorously policed

deception in advertising, explicit lies have been greatly reduced. However, a serious question must be raised. Does rigorously policing explicit lies solve the deception in advertising problem? The answer is definitely no! The reason is obvious. Focusing on the act of deception ignores the receiver of the communication. Therefore, some advertisements that contain explicit lies may not be deceptive to consumers, but other advertisements that are literally true may in fact be deceptive.

It is the position of this paper that deception in advertising cannot be properly understood without the focus of attention being the receiver of the communication. There is no way to determine in a meaningful way whether a given advertisement is deceptive unless we can measure the behavioral impact on the receiver. We can call certain statements lies without reference to the receiver of the communication, but we cannot determine if the advertisement is deceptive without knowing the behavioral impact on the receiver.

Therefore, it appears necessary to study deception in advertising within the framework of a communication theory like that of Weaver (10). Weaver considers communication a system in which the treatment of isolated parts is potentially misleading. Hence, the receiver is of vital importance in understanding the message.

If we are to include the reciver or the communication in our understanding of deception in advertising, it is both necessary and appropriate to briefly review several aspects of perception. Everything we call perception is the end product of a categorization process. But in order to engage in the categorization process, receivers must first learn. They must learn the relations between properties of products, social objects and events which are encountered or likely to be encountered. The product of learning is a series of category systems

that are used to predict what properties go with what products, social objects and events. But also, these category systems are used to check what goes with what (1, p. 126).

These category systems are largely learned by exposure to stimuli. Krech, Crutchfield and Ballachey suggest these category systems are a product of each individual's physical and social environment, physiological structure, wants and goals, and past experiences (5). However, it is clear that all stimuli do not enter into the individuals view of the world primarily for two reasons. First there are factors associated with the stimuli such as figure-ground, frequency of presentation, stimulus intensity, movement and change, and the number of objects in the stimulus (5). Advertisers are well aware it is necessary to get the attention of the receiver before the message can be categorized. Therefore, effort is taken to build into advertisements attention getting devices, obtain high levels of exposure and to build into advertisements aspects that influence proper cognitive selectivity.

The second reason that not all stimuli enter into the individuals view of the world is because of personal factors. Personal factors such as the span of apprehension, mental set, emotions and wants operate in a manner such that the number of objects that can be perceived vary from moment to moment and from individual to individual. These personal factors also result in receivers being selectively sensitized to stimulus objects and furthermore often resulting in the distortion of various stimuli so that they "fit" the personal factors of the receiver (5).

These personal factors are very important to advertisers. For as Maloney has stated, "each person's predispositions to note, understand, and accept or reject certain messages is learned. Different people have different expectations about the trustworthiness of various kinds

of advertising. They have developed different kinds of knowledge and different types of feelings about the products or brands being advertised (6)." Therefore, the advertiser is both concerned that the receiver of his advertisement responds correctly to an object to which he is sensitive and that any distortion of the stimuli will work to the advertiser's advantage.

In addition to the categorization process, another aspect of perception of interest to those studying deception in advertising is the predictive process. Bruner refers to predictive veridicality which means "simply that perceptional organization of an object or event permits one to 'go beyond' the properties of the object not yet tested. The more adequate the category systems constructed for coding environmental events in this way, the greater the predictive veridicality that results (1, p. 126)." This implies that the receiver learns a set of probabilities of what goes with what. The result is that the receiver need not examine each physical attribute of the object that is the object of the communication because he has "learned to expect" that certain attributes go with others in certain situations. Therefore, when the receiver sees an advertisement for flour, he need not be able to physically examine the flour to know its texture and basic baking properties because he has learned to expect a certain texture and basic baking properties from all flour. Bruner suggests:

> "Veridical perception, consists of the coding of stimulus inputs in appropriate categories such that one may go from cue to categorial identification, and thence to the correct inference or prediction of other properties of the object so categorized. Thus, veridical perception requires the learning of categories and category systems appropriate to the events and objects with which the person has commerce in the physical world. When we speak of the representative function of perception, we speak of the adequacy of the categorizing system of the individual in permitting him to infer the nature of events and to go beyond them to the correct prediction of other events (1, p. 133)."

In the specific case of advertising, we are not as much concerned with how category systems are developed as we are concerned with how these categories are used in the perception process.

A review of the literature suggests that the receiver reacts to an advertisement in a way such that the stimulus is both the specific aspects of the message and the total gestalt. The receiver is probably engaging in the categorization process at two levels. The first is an evaluation of the specific product information and recommendations and the second is some type of total impression.

But in both cases, the receiver is engaging in predictive veridicality. He is going beyond the information presented in the advertisement and predicting what properties to anticipate or expect. This process of predictive veridicality must serve as the basis for understanding much of deception in advertising, its detection and remedy.

As mentioned above, the receiver comes to expect certain things to go together. He has learned this relationship. Therefore, when he sees an object presented in an advertisement, he has expectations of what goes with that object. But the situation is more complex than this. The receiver also has expectations about the set of words used to describe the object, the setting in which the object is presented, the communicator and/or the sponsor of the advertisement.

The literal meaning of a word or collection of words may not be the meaning assigned to those words by the receiver. The receiver, may have gone beyond these words and added additional meaning or expectations. Furthermore, the setting, the communicator, or other aspects of the stimulus may be used by the receiver to go beyond these words in specific ways and add meaning far beyond the literal meaning of the exact words used.

Therefore, the literal meaning of a word or collection of words,

may or may not be deceptive. Rather, a word or collection of words can not be judged deceptive until it is understood how the receiver is categorizing them and what is being added by the process of predictive veridicality. It is imperative to go beyond the words to determine deception because of this process. It is necessary to include the setting in which the object is presented, the communicator and/or the sponsor of the advertisement - in fact the gestalt.

Without the analysis of the categorization process at both the word and gestalt level and the resultant predictive veridicality it is impossible to judge if, in fact, deception in advertising is taking place. Otherwise, some advertisements will be judged deceptive that in fact are not (Type II error) and others that are deceptive will be judged not deceptive (Type I error).

A DEFINITION

With this brief argument as background, it is appropriate to introduce a definition of deception in advertising that meets the test of being based on the interaction of the advertisement with the categorization process of the receiver and also lends itself to being implemented in the detection and avoidance of deception in advertising. This definition is a revision of one offered earlier by Gardner (3):

> If an advertisement (or advertising campaign) leaves the average consumer within some reasonable market segment with an impression(s) and/or belief(s) different from what would normally be expected if the average consumer within that market segment had reasonable knowledge and that impression(s) and/or belief(s) is factually untrue or potentially misleading, then deception is said to exist.

This definition assumes that the end produpt of the perception process is the matter of interest, i.e., what the receiver perceives, rather than what the advertisement either intended or says literally. It should be clear that the act of deceiving is of only limited relevancy to this definition.

But, in addition, this definition focuses on the average consumer. This assumes that the impressions and/or beliefs of consumers falling beyond two plus or minus standard deviations is often noise caused by extraneous factors. But also, this definition assumes that consumers who are clearly not included in any reasonable market segment should not be used to judge the deceptiveness of an advertisement or advertising campaign. For instance, a 67 year old retired person who has never riden a motorcycle, is unlikely ever to do so and furthermore has no interest in motorcycles should not be of concern in the determination of deception in motorcycle advertising.

This definition is clearly limited to the effect of the communication on the receiver. In terms of the communication model of Weaver (10), this definition deals only with the decoding process. However, this does not deny that there may be advertisements that may contain untruths that originate when the message is encoded. These untruths may be such that they should be dealt with simply because they are untrue, whether or not they have a deceptive impact on the receiver. These untruths, in contrast to the definition of deception above, are labeled "false" advertising. One could argue that "false" advertising should be ignored because it has no deception impact. However, in addition to the general adversion to lies, most would agree that over time there may in fact be some residual or lagged effect that would act in such a way that receivers would be deceived at some future time.

Within this definition, we can find the basic understanding of deception in advertising based on the process of veridical perception and two subcategories of more specific instances.

The most basic understanding of deception in advertising is that an advertisement interacts with the learned categories of the receiver. Therefore, if an advertisement or advertising campaign interacts in

such a manner that it is categorized either directly or by the addition of information by the process of veridical perception such that the resultant impression would not meet the test specified in the definition above, then it is judged deceptive. It can be argued using this approach that an advertisement need not make either explicit or implied claims that are false to be judged deceptive. The sole criteria, then, is not the exact words, pictures, etc. that are used, but the impression left in the mind of the receiver. Therefore, if detergent manufacturers discovered that housewives associate "power" with the color blue and hence associate more cleaning power with detergents containing blue crystals, then saying that a specific brand of detergent has blue crystals and showing pictures of satisfied housewives using this brand, could be deceptive, even though no claims about increased cleaning power were made. It would be deceptive if the information added by the housewife/receiver resulted in either a specific belief or a total impression that this particular brand was more powerful than in fact it is to the objective observer.

This understanding of deception also allows us to specify two specific types of deception that fall within this broad category. The first is what Gardner has called the Claim-Fact Discrepancy type of deception (3). Here, some qualification must be added to the information and/or impression carried in the advertisement so that the receiver can properly categorize it and result in a non-deceptive impression. Many advertisements supply only part of the information necessary for proper evaluation, recognizing that the consumer will add information based on learned probabilities. In this specific instance of deception, the question centers around whether or not the receiver has accurate and sufficient enough information to add to the information present in the advertisements that the result will be a non-

deceptive impression. For instance, most receivers have learned certain things about the word "doctors". For most receivers this word is associated with someone who is an M.D. and takes care of you when you are sick, prescribes medicine, etc. In general, doctors are held in rather high esteem and are thought to be honest. Therefore, when an advertisement suggests that "3 out of 5 doctors recommend" something, through the process of veridical perception the receiver is apt to add the positive image of M.D. to these words and hence increase the acceptance of this message. The potential for deception exists because there is no way to tell what kind of doctor made this recommendation, under what circumstances and what about the other 40% of doctors.

Likewise, another type of claim-fact discrepancy type of deception comes about when a correct claim for a product is made, but it is not clear under what circumstances the claim is correct. For instance, the use of a certain type of oil in automobiles may increase the useful life of the vehicle, but only if used in conjunction with certain other practices and in certain types of automobiles. The deception in this instance could result if the receiver attributed this quality of extended life to all cars and without knowledge of the other practices.

A third type of claim-fact discrepancy type of deception is when a uniqueness claim is made for a particular brand that is said to contain attribute X, but which in fact is contained in all other comparable brands. It is easy to see how veridical perception could result in the addition of information in this case and also easy to see how it could result in deception unless the receiver was aware of the fact that all comparable brands contained this attribute.

In some instances, when claims and objective evidence do not match, it is not merely a false advertisement, but can be termed deceptive be-

cause the receiver has come to either trust or believe the communication or in some way rely on the communication. Gardner has called this second specific type of deception the Unconscionable Lie (3). For instance, if the communication claims that a watch has 21 jewels, the receiver has no way of checking that fact. If based on past experience he has every right to believe the communication is correct, the deception exists if in fact the watch does not have 21 jewels. "To be classified as deceptive in this category, an advertisement would make a claim that is completely false (3)." For an advertisement to be judged an unconscionable lie, there must be no way for receivers to achieve the claimed results, attributes or benefits. Hence, the claim could not be true, even if properly qualified.

A RESEARCH ORIENTATION

The process of cognitive categorization and veridical perception is complex enough that it is unlikely that answers to questions of what is deception and how do we detect and measure it will not come easily. Nonetheless, enough is known about human information processing and measurement that initial attempts can be made in this area.

It should be clear that when referring to deception in advertising, we are dealing primarily with attitudes. Hansen presents an excellent development of the formation of cognitive categories and the relationship of these categories to attitudes (4). Based on Hansen and others, it can be argued that an attitude toward a product is a function of beliefs about that product and the evaluations of each belief.

If the perception process discussed in the previous section is appropriate, then we can say that advertising influences the addition of attributes making up an attitude, the evaluation of attributes making up an attitude and their importance or weighting. Therefore, the generalized, multi-attribute attitude model presented by Pessemier and

Wilkie seems appropriate as the basis of a detailed study of deception in advertising leading to a measure(s) of deception (7). This model may be expressed as follows:

$$A_{jk} = \sum_{i=1}^{n} I_{ik} \; B_{ijk}$$

where i = attribute or product characteristic
j = brand
k = consumer or respondent

Such that: A_{jk} = consumer k's attitude score for brand j

I_{ik} = the importance weight given to attribute i by consumer k

B_{ijk} = consumer k's belief as to the extent to which attribute i is offered by brand j

This type of model is widely used in studies of consumer behavior and reflects the work of Rosenberg (8) and Fishbein (2). The foundations of these theories suggest that attitudes are learned as part of the concept formation (labeling) process. Fishbein places this theory within the framework of behavior theory which allows him to hypothesize that once a concept has been learned, many new things are subsequently learned about it. The consumer associates many different objects, concepts, values or goals with the product or service (the attitude object or stimulus concept). These different objects, concepts, values or goals associated with the concept of a particular product make up a belief system which is organized into a hierarchy of responses.

> "The higher the response in the hierarchy, the greater the probability that the response is associated with the stimulus concept, that is, the stronger the belief. Each of these associated responses may also be viewed as stimuli, which themselves elicit a learned mediating evaluative response. These mediating evaluative responses are viewed as summative; through the processes of mediated generalization and conditioning, this summated evaluative response becomes associated with the stimulus concept. Thus, when the concept is presented, it will elicit this summated evaluated response, that is, it will elicit this learned attitude." (2, p. 394)

Therefore, an individual's attitude toward any product or service can be seen as a function of a) the strength or importance of his beliefs about the product, i.e., those beliefs in his response hierarchy, and b) the evaluation of those beliefs, i.e., the evaluation of associated responses.

Applying this logic to consumers, we find that consumers learn to associate certain product attributes with a given product class and brands within that class. Furthermore, these product attributes are each valued on some dimension by individual consumers. For instance, consumers may learn that for men's socks, the attributes of durability, construction, materials and appearance are highly relevant. And for each of these attributes, the consumer will learn a positive or negative evaluation. The sum of these evaluations for relevant (salient) attributes represents the affect associated with that product. The more positive the affect, the more positive the attitude toward the product, the more negative the affect, the more negative the attitude toward the product.

To apply this logic to consumer deception, we must first recognize that basically most promotional strategies attempt to change either existing beliefs about a product and brand, i.e., how these beliefs are evaluated or to introduce a new belief or make an existing belief more salient or important. But in addition, we must be aware that attributes are being added or used by the receiver that may not be contained in the communication, realizing, however, that in both cases, it is not what the communication contains, but what the receiver does with it. Therefore, it seems probable that deception can occur in either two ways:

a) by the promotional communication influencing the probability of a particular belief being associated with an attitude toward a brand.

b) by influencing the evaluation of a particular belief associated with a brand.

For instance, a promotional communication could attempt to increase the probability of a belief about "reliability" being associated with a particular brand. Or, a communication could attempt to increase the positive evaluation of a belief about "safe".

It seems inappropriate to focus primary attention to A_{jk} because it reflects the multiplication of weights and their respective beliefs which are summed. Furthermore, even if it is found that consumers held an attitude toward a product/advertisement that was deceptive, it would be necessary to show that deception existed by examining beliefs about specific attributes and how these beliefs are evaluated.

An important assumption of the proposed research technique that follows is the classification of product attributes into two categories. This is necessary because of the absolute necessity of allowing the advertiser to be able to introduce attributes and work towards positive evaluation of these attributes which merely influence affect, but add nothing, otherwise, to factual product evaluation. Therefore, it is assumed that there are "functional" and "non-functional" product attributes. Functional attributes are those that relate to design, wear, performance, guarantees, etc., and non-functional attributes relate to style, appearance and other "non-objective" attributes. Attributes which have typically been classified as "psychological" or "well-being" could potentially fall into either classification.

If, a functional attribute has acquired a high probability of being associated with a specific brand, when in fact, objective evidence is to the contrary, or needs qualification to be true, and this belief is positively evaluated, then, deceptive beliefs exist. Likewise, if a non-functional attribute is viewed by consumers as a functional attribute and positively evaluated, then deception exists.

The three techniques discussed below are all designed as screening

devices, i.e., they should not be used at this time to definitely prove or disprove deception in advertising.

Normative Belief Technique

Using multi-attribute attitude theory as a foundation, Gardner proposed the normative belief technique (3). First, it is necessary to establish product class norms by product attributes. This is a delicate process and filled with many problems. As reflected in a recent paper by Wilkie and Weinreigh (11) the measurement of salient product attributes is in a state of flux. For this technique, a variety of structured and unstructured techniques should be used to gather salient product attributes from a wide variety of product class users. This data would be supplemented by data from appropriate experts for the particular product class under study. The experts would provide a comprehensive range of attributes free from consumer attitudes and expectations.

Second, research needs to be conducted which shows which product attributes are functional and which are non-functional. Consumer beliefs and the use of experts would both be appropriate at this stage.

The third step is to establish acceptable ranges of probabilities of various attributes being associated with a product and establishing acceptable ranges of evaluation. The reason for establishing ranges of evaluation will become clear in the next step.

The fourth step is to show advertisements for various brands within a product class to consumers and have them estimate probabilities of each attribute being associated with the brand being advertised and give their evaluation of each attribute.

Then, their advertisements which produce probability estimates and evaluative estimates within the acceptable range for functional attributes are thereby deemed non-deceptive. However, it is clear

that standards of sample proportion within acceptable ranges need to be established. As a first approximation, it would seem reasonable to set the sample proportion as plus or minus one standard deviation. As techniques are developed and more is learned about normative beliefs, this range may be extended. The size of the range may also vary by product class. For instance, some product classes like "Bust Developers" and "Weight-Diet" lend themselves more easily to claims that will have a deceptive impact than products like bread or gasoline. Therefore, we might expect the sample proportion to be larger for bust developers than for bread.

An advertisement could be judged deceptive, using this procedure, for several reasons. It could be judged deceptive because consumers rated the probability of a functional attribute being associated with the product as highly probable, when in fact, the product has none or meaningless levels of that attribute, Likewise it could be judged deceptive if, either individually or collectively, functional product attributes are more positively evaluated than indicated by product class norms. This second reason is highly speculative and warrants rigorous research before advanced as a definite measure of deception.

Consumer Impression Technique

A second method advanced by Gardner (3) centers on consumer impressions. This is not a sophisticated technique, and employs widely used copy-testing procedures. It could be implemented after only a short period of experience developing appropriate questionnaires and procedures. In this procedure, consumers would be shown advertisements and then asked to state (using properly designed and controlled procedures) what they felt the advertisements were telling them. Some questions would be quite general, others quite specific. If for instance, it was hypothesized that an implied safety claim had been made that

was not backed up by product performance. The information gained from consumer reactions would be compared with the actual fact and claim of the advertisement to determine if the necessary qualifications are understood in such as to make the total advertisement either deceptive or not deceptive.

Expectation Screening Procedure

The third method (3) is based on the fact that cognitively, consumers exposed to an advertisement are engaged in a comparison process. At the minimum, consumers are comparing what they perceive the advertisement to be saying with expectations of what they anticipate seeing for a given product, brand, usage combination and secondly comparing it with appropriate evaluative frames of reference. If norms could be developed for expectations and evaluative frames of reference, then responses to a given advertisement could be compared with norms for a given product class. If the response to a given advertisement were significantly different from the norms, that advertisement should be singled out for a very specific and thorough investigation to determine if the total advertisement is interacting in some way with existing belief structure of consumers to produce a deceptive impact.

One issue that has not been dealt with is the whole issue of selective exposure and relative attention. In passing, it should be mentiontd that any understanding or measurement of deception must take this issue into account. If the potential receiver does not expose himself or pay attention to an advertisement, it complicates many issues. Likewise, as Sherif, Sherif and Nebergal point out, response to communications varies depending on the level of involvement with the topic of the communication (9). Undoubtably, future research into deception in advertising will take these two issues into account.

CONCLUSION

Deception in advertising is always going to take place, whether it is planned or not for the simple fact that deception is in the "eye of the beholder." Therefore, some advertisements will always be deceptive to some. The question, therefore, facing governments and advertisers is how do we detect deception in advertising and then how is it to be decided what level and nature of deception will be tolerated? But above all, it should now be clear that lying in advertising and the act of lying is a narrow conception of deception in advertising and that it is absolutely essential that the receiver of the communication is the most important part in the determination of deception.

Since it has never been demonstrated that a deceptive advertisement causes more sales than a non-deceptive advertisement, does this approach focusing on the receiver of the communication really have any worth? If you believe that advertising is not trying to directly cause sales but to increase consumer predisposition so that when the product is seen in the store, the consumer is more predisposed to one brand than another, then this approach is quite valid. It stands to reason, though not tested, that if some claim leaves a deceptive impression, that brand most likely has a higher probability of predisposition, other things being equal. This approach also holds if you view advertising as pre-negotiation. Obviously direct-mail advertising falls outside this understanding, but this approach still seems consistent with the task of advertising.

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